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OFFICE OF
INSURANCE COMMISSIONER

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BULLETIN No. 94-2

**MANDATORY OFFERING OF PIP COVERAGE TO ALL AUTOMOBILE
INSUREDS**

Attention: Automobile Insureds

This bulletin supplements No. 94 - 1 dated April 29, 1994. The Office of Insurance Commissioner has learned that some insurers are rolling-on maximum rather than minimum Personal Injury Protection (PIP) coverage on their policies. We believe that insurers are only obligated to add minimum statutory coverage on an automobile liability insurance policy, and that the automatic roll-on of the higher limits is highly inappropriate.

We believe that the statute governing PIP coverage is clear with regard to the required offer of optional coverage. First, PIP coverage is only required if the named insured fails to reject the coverage in writing. In that event, RCW 48.22.095 sets forth the minimum PIP coverage that the insurer must offer. RCW 48.22.100 requires the insurer to offer higher benefit limits for PIP coverages, but only requires those higher limits to be provided **upon request**. Therefore, since the statute states that higher limits must be provided only upon the request of the insured, we consider it improper for insurers to roll-on PIP coverage at the higher limits without a specific request from the insured.

Thank you for your cooperation.

Insurance Commissioner